

**Notice of Allowability**

Application No.

09/767,444

Applicant(s)

ROECK, HANS-UELI

Examiner

REXFORD N. BARNIE

Art Unit

2643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/16/2005.
2. ☒ The allowed claim(s) is/are 14,16,20-27 and 32-59.
3. ☒ The drawings filed on 23 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**REXFORD BARNIE**  
**PRIMARY EXAMINER**

### **REASON FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: The prior art of record (Anderson, US Pat# 5,721,783) and in general, teaches being able to store messages (such as appointment scheduling, setting a watch alarm, need to take one's medication and so forth) which can be relayed to a user at a later time but not related to a status of a hearing aid.

The prior art of record fails to teach a method for communicating between a hearing aid including a user input for listening to first audio signals and an individual carrying the device comprising the steps of: providing a plurality of notification audio signals each having a corresponding predetermined duration; a user selecting one of the plurality of notification signals using the user input, for associating with a status of the device; and applying to an output converter of the hearing aid device the selected notification signal for notifying the user of the status of the hearing device.

The prior art of record fails to teach a hearing aid system comprising at least one hearing aid device including an electrical/mechanical converter and a signal processing unit with an output being operationally connected to an input of the electrical/mechanical converter and an input for a user to select a user defined notification audio signal of predetermined extent for associating with a system status; and a generator unit the output of which is operationally connected to the input of the electrical/mechanical converter, the generator unit including a user writable read/write for storing the user defined notification audio signal to be output by the generator unit for notifying a user of a status of the system.

In summary, the prior art of record fails to teach the flexibility taught by the present invention wherein a user of a hearing aid can program a notification signal, which could be selected from one of a plurality of notification audio signal to be associated with a status of the hearing aid such as alerting the user of a battery level and so forth. The user of the hearing aid would be alerted by using the selected notification as programmed to be associated with that status of the hearing aid device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is 571-272-7492. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
08/18/05

  
REXFORD BARNIE  
PRIMARY EXAMINER